



Adora Andy/DC/USEPA/US
06/17/2009 04:53 PM

To "Michael Moats" <Moats.Michael@epamail.epa.gov>, "Allyn Brooks-LaSure" <brooks-lasure.allyn@epa.gov>, "Seth Oster" <oster.seth@epa.gov>,

cc

bcc

Subject Libby coverage

Please see below.
Brendan Gilfillan

----- Original Message -----

From: Brendan Gilfillan
Sent: 06/17/2009 06:17 PM EDT
To: Adora Andy
Subject: coverage

EPA declares public health emergency in Montana town ravaged by asbestos

By **MATTHEW DALY** , Associated Press

WASHINGTON - The Obama administration said Wednesday it will pump an additional \$130 million into a Montana town where asbestos contamination has been blamed for more than 200 deaths.

EPA Administrator Lisa Jackson said the agency for the first time has determined there is a public health emergency in a contaminated community, targeting Libby, Mont., for immediate federal attention.

Jackson's announcement will not result in an evacuation of Libby's 2,600 residents, but will require an extensive, home-by-home cleanup and better health protections for those with asbestos-related illnesses.

The EPA will invest at least \$125 million over the next five years in the ongoing clean up. The Health and Human Services Department will spend an additional \$6 million on medical assistance for residents suffering from asbestos-related illnesses.

The money is in addition to hundreds of millions of dollars the government and Maryland-based W.R. Grace & Co. have spent to clean up Libby, where asbestos contamination from a now-closed vermiculite mine has been cited in the deaths of more than 200 people and illnesses of thousands more.

Before the vermiculite mine was closed in 1990, miners carried asbestos home on their clothes. Vermiculite once covered school running tracks in Libby and some residents used vermiculite as mulch in their home gardens.

Jackson called Libby a "tragic public health situation" that has not received the recognition it deserves from the federal government for far too long.

"Based on a rigorous re-evaluation of the situation on the ground, we will continue to move aggressively on the cleanup efforts and protect the health of the people," said Jackson. "We're here to help create a long and prosperous future for this town."

Jackson said the announcement was the first time the EPA has made such a determination under authority of the 1980 Superfund law that requires the clean up of contaminated sites.

Sen. Max Baucus, D-Mont., called the emergency declaration a great day for Libby, which he said "had to wait year after year as the last administration failed to determine that a public health emergency exists."

The EPA had previously declared the area a Superfund site, but had not determined there was a public health emergency until Wednesday.

Last fall, Baucus accused the Bush administration of orchestrating a "conspiracy" for not declaring an emergency in Libby. He charged that former EPA Administrator Christine Todd Whitman was prepared to declare an emergency in 2002 but was overruled by the Bush White House.

Baucus called the health announcement especially welcome, given what he called a disappointing verdict last month in a criminal case related to the asbestos contamination. W.R. Grace & Co. and three former executives were acquitted of federal charges that they knowingly allowed residents of the northwestern Montana town to be exposed to asbestos from its vermiculite mine.

A Grace spokesman did not return a telephone call Wednesday. The company has not denied that asbestos came from its mine, but has said it acted responsibly to clean up the contamination. It paid millions in medical bills for residents of Libby and agreed last year to pay \$250 million to reimburse the EPA for cleanup efforts.

Sen. Jon Tester, D-Mont., called the emergency declaration long-overdue.

"We still have a long way to do right by the folks in Libby. Working together with the Department of Health and Human Services and the Environmental Protection Agency, we're making very good progress," Tester said.

Gayla Benefield of Libby, who suffers health effects from asbestos exposure and lost both parents to asbestos-related lung diseases, called the declaration a "a giant step forward" for improved medical care and clean up of the town.

"Right now the amount of money is relatively minimal, but overall the biggest thing is that it opens the door for future money to be available for medical care, research — the things we've needed, independent of W.R. Grace in terms of health care," she said.

Montana Gov. Brian Schweitzer hailed the declaration and said the designated funds will be used to make communities in northwestern Montana healthier.

EPA calls health emergency in Mont. mine town

USA Today

In the first such action of its kind, the Environmental Protection Agency has declared a public health emergency in the asbestos-contaminated town of Libby, Mont.

The declaration, by EPA Administrator Lisa Jackson, comes a month after W.R. Grace & Co.

and three former executives were acquitted of federal criminal charges that they knowingly allowed Libby residents to be exposed to cancer-causing asbestos from its now-closed vermiculite mine. (The *Missoulian* has an archive of trial coverage.)

Asbestos has been cited in the deaths of more than 200 people and the illness of thousands more.

Under today's action, Libby will not be evacuated, the Associated Press writes. The EPA will spend \$125 million during the next five years to conduct house-by-house cleanups and improve health protections for residents with asbestos-related illnesses.

Here's some of what the EPA said in its announcement:

This is the first time EPA has made a determination under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) that conditions at a site constitute a public health emergency. This determination recognizes the serious impact to the public health from the contamination at Libby and underscores the need for further action and health care for area residents who have been or may be exposed to asbestos. Investigations performed by the Agency for Toxic Substance and Disease Registry have found the incidence of occurrence of asbestosis, a lung condition, in the Libby area staggeringly higher than the national average for the period from 1979-1998. EPA is working closely with the Department of Health and Human Services, which is making available a short-term grant to provide needed asbestos-related medical care to Libby and Troy residents.

Read the complete EPA news release here.

Grace, based in Columbia, Md., declared bankruptcy in 2001. At the time, it had been named in 110,000 asbestos-related lawsuits.

In April, Grace agreed to a \$3 billion settlement to pay outstanding claims, allowing the company to exit bankruptcy with no more asbestos liability.

Asbestos cleanup 'emergency' declared in Montana town

A Montana town where asbestos contamination has been blamed for more than 200 deaths will get new cleanup and medical assistance from the Obama administration under a "public health emergency" declared Wednesday. The declaration is the first ever issued by the Environmental Protection Agency, which has been overseeing the cleanup of Libby, Montana, for 10 years.

The town was heavily contaminated with asbestos-laced dust that federal prosecutors said resulted in more than 200 deaths and 1,000 illnesses.

"This is a tragic public health situation that has not received the recognition it deserves by the federal government for far too long," EPA Administrator Lisa Jackson said in a statement accompanying the declaration.

In May, a federal jury acquitted mine operator W.R. Grace and three of its former executives of criminal charges related to the contamination. During Jackson's confirmation hearing in January, Montana Sen. Max Baucus said the town's 12,000 residents had been "hung out to dry" and pressed Jackson to review the issue.

The Libby operation began producing vermiculite -- a mineral often used in insulation -- in 1919. But the vermiculite was contaminated with tremolite asbestos, a particularly toxic form of asbestos that has been linked to mesothelioma, a cancer that can attack the lining of the lungs, abdomen, or heart. Dust from the plant covered patches of grass, dusted the tops of cars and drifted through the air in a hazy cloud that became a part of residents' daily lives.

Grace operated the facility from 1963 until it closed in 1990. During the company's three-month trial, prosecutors argued that its executives knowingly released the substance and tried to hide the danger from the community.

The company did not deny that the asbestos came from its mine, but it said it acted responsibly to clean up the contamination. It paid millions in medical bills for residents of Libby and neighboring Troy, and agreed in 2008 to pay \$250 million to reimburse the EPA for its cleanup efforts.

EPA Declares Libby a Public Health Emergency Flathead Beacon (Western Montana)

The Environmental Protection Agency on Wednesday declared the asbestos contamination in Libby a public health emergency, the first time the EPA has made such a designation since the Superfund law was passed in 1980.

The declaration will result in renewed and extensive contamination cleanup, along with enhanced medical care to treat asbestos-related illness in Libby and Troy, EPA Administrator Lisa Jackson said. A public meeting in Libby scheduled for June 22 with EPA officials will offer more details on the breadth of the services to be offered.

"For years, Libby and Troy residents have been at higher risk for lung cancer," Jackson said. "We determined that we needed to step up our efforts to help."

Jackson made the announcement at a Washington D.C. press conference joined by Montana Sens. Max Baucus and Jon Tester, as well as Health and Human Services Secretary Kathleen Sebelius.

"This is a truly historic day," Baucus said, "The U.S. government is doing what's right for people who have been oppressed for so long."

"I cannot emphasize too strongly just what a tragedy the situation is in Libby," Baucus added. "It's also a reminder -- a reminder of how much more we have to do."

Libby's vermiculite mine, purchased in W.R. Grace & Co. in 1963 has resulted in one of the worst public health disasters in U.S. history, resulting in roughly 200 deaths and 2,000 sickened from asbestos-related diseases caused by the tremolite asbestos in the ore. Not only were the miners sickened or killed, but their families and even members of the community who did not work in the Grace mine fell victim to the contamination. The EPA declared Libby a Superfund site in 2002.

Sebelius praised the work the federal government has previously undertaken to aid Libby residents, including the establishment of the Center for Asbestos Related Disease, or CARD

Clinic in Libby. The HHS department also plans to begin an \$8-million, 8-year epidemiology study in Libby this year, though funding for that grant was established last year and not related to the new declaration. But she said more is needed.

"Despite the past work, it simply was not enough," Sebelius said. "We can no longer turn a blind eye."

Baucus secured a \$6 million grant last month, for the Lincoln County Health Department and other health agencies providing medical aid to asbestos victims. In Wednesday's news conference, he called the grant "a good start," but he and Jackson declined to give specifics on what the further costs of the emergency declaration might be, saying that the unique nature of tremolite asbestos, and how the human body reacts to such contamination, still requires a great deal of study. Jackson added that she did not believe additional cleanup acts outside of the Troy and Libby area are currently necessary.

In a later conference call with Montana reporters, an EPA official speaking on background said the emergency declaration gives agency workers conducting asbestos cleanups in the homes of Libby and Troy residents a firmer legal standing to carry out removals of vermiculite insulation.

In May, a U.S. District Court jury in Missoula acquitted W.R. Grace & Co. and three former executives on charges that they knowingly exposed Libby residents to tremolite asbestos and then covered it up to continue making profits and avoid liability. Earlier this week, federal prosecutors moved to dismiss charges against the final Grace defendant in the case. Baucus said he disagreed with the outcome of the case.

"The company, W.R. Grace, in my opinion, knew what it was doing," Baucus said. "This declaration is the beginning of what needed to be done."

Under the administration of President George W. Bush, Baucus continually did battle with the EPA over Libby, and charged in a September 2008 report that the agency had conspired with the national Office of Management and Budget to block the declaration of a public health emergency in Libby due to the costs.

During Jackson's confirmation hearing earlier this year, Baucus pressed her to declare a public health emergency in Libby.

Tester characterized Libby as a small town of hard-working people who played by the rules, but no community could bear the strain on its own of such an enormous environmental disaster. "The system let Libby down," Tester said. "The people of Libby want their future back."

"This is a long overdue, common-sense decision," he added. "We still have a long way to go to do the right thing for the people of Libby."

Libby declared public health emergency

By Brad Fuqua, The Western News

Called a "truly historic day for the people of Libby" by U.S. Sen. Max Baucus, the Environmental Protection Agency on Wednesday announced that a public health emergency has been declared in the asbestos-affected area of Libby and Troy.

"This is the first time in American history that we've had this declaration and I cannot think of a more appropriate time and place," Baucus said.

EPA administrator Lisa Jackson announced the move during a press conference in Washington. She said the public health emergency would involve a re-evaluation of the situation on the ground.

"This declaration serves as a reminder of mismanagement of handling hazardous materials," Jackson said. "While EPA has been conducting cleanup in Libby for several years, we are re-committing to getting the job done right."



Baucus, a longtime advocate on the issue, worked on the public health emergency declaration for years.

"This is a great day for Libby. This is a town that was poisoned by W.R. Grace, then had to wait year after year as the last administration failed to determine that public health emergency exists. But today is a new day," he said.

The Libby asbestos site includes portions of the towns of Libby and Troy and inactive vermiculite mine seven miles northeast of the town. Gold miners discovered vermiculite in Libby in 1881. In the 1920s, the Zonolite Co., formed and began mining the vermiculite. In 1963, W.R. Grace bought the Zonolite mining operations. The mine closed in 1990.

It is estimated that the Libby mine was the source of over 70 percent of all vermiculite sold in the United States from 1919-90.

U.S. Health and Human Services Secretary Kathleen Sebelius and U.S. Sen. Jon Tester of Montana were also on hand at the press conference.

"Today is the day that Administrator Jackson did the right thing and made this vital determination. Today is the day that Secretary Sebelius declared that people in Libby will get the health care they need," Baucus said. "Today is the day that after years of work we were able to succeed in getting this done. Yet, we won't stop here. We will continue to push until Libby has a clean bill of health."

For stories on the declaration of a public health emergency in Libby, see Friday's edition of The Western News or check back at this website on Thursday.

EPA declares public health emergency in Libby

KTVQ (CBS Montana)

U.S. Environmental Protection Agency Administrator Lisa P. Jackson has announced that the agency has determined that a public health emergency exists at the Libby asbestos site.

Hundreds of cases asbestos-related disease have been documented in the area which covers

Libby and Troy.

Jackson made the announcement Wednesday morning during a joint press conference with Department of Health and Human Services Secretary Kathleen Sebelius and U.S. Senators Max Baucus and Jon Tester.

This marks the first time that the EPA has made a determination under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), that conditions at a site constitute a public health emergency.

According to the EPA, the "determination recognizes the serious impact to the public health from the contamination at Libby and underscores the need for further action and health care for area residents who have been or may be exposed to asbestos".

Investigations performed in the area have found that the occurrence of asbestosis in the Libby area are "staggeringly higher than the national average for the period from 1979-1998" according to the EPA.

The agency says they will be working closely with the Department of Health and Human Services, which has been making a short-term grant to provide needed asbestos-related medical care to Libby and Troy residents available.

During her Senate confirmation hearing, Jackson committed to review the situation at the Libby asbestos site and following the review, she decided that conditions at the site present a significant threat to public health and that making a public health emergency determination is appropriate.

"This is a tragic public health situation that has not received the recognition it deserves by the federal government for far too long. We're making a long-delayed commitment to the people of Libby and Troy. Based on a rigorous re-evaluation of the situation on the ground, we will continue to move aggressively on the cleanup efforts and protect the health of the people," said Jackson.

"We're here to help create a long and prosperous future for this town." She added, "Senator Max Baucus has been a tireless advocate for the people living in Libby and Troy who have confronted this public health tragedy for generations and we commend him for his work. We look forward to working with him and Senator Tester who has been working diligently since being elected to the Senate to bring much needed support to these communities."

Baucus has been a long-time advocate on this issue and has consistently sought out a determination of a public health emergency in this region.

"This is a great day for Libby. This is a town that was poisoned by W.R. Grace, then had to wait year after year as the last administration failed to determine that public health emergency exists. But today is a new day," Baucus stated. "Today is the day that Administrator Jackson did the right thing and made this vital determination. Today is the day that Secretary Sebelius declared that people in Libby will get the health care they need. Today is the day that after years of work we were able to succeed in getting this done. Yet, we won't stop here. We will continue to push until Libby has a clean bill of health."

Tester added that "this is a long-overdue, common-sense decision that will go a long way for Libby and the thousands of folks who were poisoned there. This decision will help make quality health care more accessible and it will open the door to get new resources on the ground".

The Libby asbestos site has been on the EPA's Superfund National Priorities List since 2002, and cleanup has taken place there since 2000. While the EPA has made progress in helping to remove the threat of asbestos in the land and air the potential release of asbestos remains "a significant threat to public health in that area" according to the EPA.

The Libby asbestos site includes portions of the towns of Libby and Troy and an inactive vermiculite mine seven miles northeast of the town. Gold miners discovered vermiculite in Libby in 1881; in the 1920s the Zonolite Company formed and began mining the vermiculite. In 1963, W.R. Grace bought the Zonolite mining operations. The mine closed in 1990.